

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	File No: EB-10-MA-0122
Judith V. Smith, formerly known as Judith	)	
McFarlane	)	NAL/Acct. No: 201132600006
	)	
Miami, Florida	)	FRN: 0020863734
	)	

**FORFEITURE ORDER**

**Adopted:** July 28, 2011

**Released:** July 28, 2011

By the Regional Director, South Central Region, Enforcement Bureau:

1. In this Forfeiture Order (“*Order*”), we issue a monetary forfeiture in the amount of twenty two thousand dollars (\$22,000) to Judith V. Smith, formerly known as Judith McFarlane (“Ms. Smith”) for willful violation of sections 301 and 303(n) of the Communications Act of 1934, as amended (“Act”).<sup>1</sup> The noted violations involved Ms. Smith’s operation of an unlicensed radio station on the frequency 95.9 MHz and refusal to allow inspection of the radio installation located in her residence in Miami, Florida.

2. On May 16, 2011, the Enforcement Bureau’s Miami Office (“Miami Office”) issued a Notice of Apparent Liability for Forfeiture (“*NAL*”) in the amount of \$22,000 to Ms. Smith.<sup>2</sup> Ms. Smith has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 503(b) of the Communications Act of 1934, as amended,<sup>3</sup> and sections 0.111, 0.204, 0.311 and 1.80(f)(4) of the Commission’s Rules,<sup>4</sup> Judith V. Smith **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$22,000 for violations of sections 301 and 303(n) of the Act.<sup>5</sup>

4. Payment of the forfeiture shall be made in the manner provided for in section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice pursuant to section 504(a) of the Act.<sup>6</sup> Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications

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<sup>1</sup> 47 U.S.C. §§ 301, 303(n).

<sup>2</sup> *Judith V. Smith, formerly known as Judith McFarlane*, Notice of Apparent Liability for Forfeiture, 26 FCC Rcd 6806 (Enf. Bur. 2011).

<sup>3</sup> 47 U.S.C. § 503(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.204, 0.311, 1.80(f)(4).

<sup>5</sup> 47 U.S.C. §§ 301, 303(n).

<sup>6</sup> 47 U.S.C. § 504(a).

Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payments by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. FCC Form 159 may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: [ARINQUIRIES@fcc.gov](mailto:ARINQUIRIES@fcc.gov) with any questions regarding payment procedures. Judith V. Smith shall also send electronic notification on the date said payment is made to [SCR-Response@fcc.gov](mailto:SCR-Response@fcc.gov).

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by both First Class Mail and Certified Mail Return Receipt Requested to Judith V. Smith at her address of record.

**FEDERAL COMMUNICATIONS COMMISSION**

Dennis P. Carlton  
Regional Director, South Central Region  
Enforcement Bureau